

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 035394-0292 U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) Unassigned 1 U 7539291
INTERNATIONAL APPLICATION NO. PCT/US03/37090	INTERNATIONAL FILING DATE 12/16/2003	PRIORITY DATE CLAIMED 12/18/2002
TITLE OF INVENTION SERUM BIOMARKERS IN LUNG CANCER		
APPLICANT(S) FOR DO/EO/US Timothy Tak Chun YIP, Chi Shing CHO, Siu Kie AU, Tai-Tung YIP, Christine L. YIP and Victor F. YIP		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <ul style="list-style-type: none"> <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). <input type="checkbox"/> has been communicated by the International Bureau. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <ul style="list-style-type: none"> <input type="checkbox"/> is attached hereto. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <ul style="list-style-type: none"> <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau). <input type="checkbox"/> have been communicated by the International Bureau. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input checked="" type="checkbox"/> have not been made and will not be made. <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
Items 11 to 20 below concern other document(s) or information included:		
<p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: Assertion of Small Entity Status</p>		

U.S. APPLICATION NO. (If known, see 37 CFR 1.65)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER		
Unassigned 107539291	PCT/US03/37090	035394-0292		
The following fees have been submitted:				
21. <input checked="" type="checkbox"/> Basic national fee \$300 \$ 300.00				
22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) \$100 \$ 200.00				
All other situations \$200				
23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$100 International Search Report prepared and provided to the Office \$400 All other situations \$500 \$ 100.00				
TOTAL OF ABOVE 21, 22 and 23 = \$ 600.00				
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$ for each additional 50 sheets of paper or fraction thereof.				
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	
96 - 100 = 0	/50 = 0	x \$250.00	\$ 0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e))			\$ 130.00	
CLAIMS		NUMBER FILED	NUMBER EXTRA	RATE
Total Claims		102 - 20 = 82	x \$ 50.00	\$ 4100.00
Independent Claims		30 - 3 = 27	x \$ 200.00	\$ 5400.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$ 360.00	\$
TOTAL OF ABOVE CALCULATIONS =				\$ 10230.00
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.				+ \$ 5115.00
				SUBTOTAL = \$ 5115.00
Processing fee of 130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$
TOTAL NATIONAL FEE =				\$ 5115.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). 40.00 per property				\$
TOTAL FEES ENCLOSED =				\$ 5115.00
				Amount to be refunded: _____
				charged: _____
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$5115.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. <u>19-0741</u> in the amount of \$5115.00 to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0741</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>				
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.				
SEND ALL CORRESPONDENCE TO:				
Foley & Lardner LLP				
Customer Number: 22428				
<p>SIGNATURE <u>Stephen A. Bent</u></p> <p>NAME _____</p> <p>29,768 _____</p> <p>REGISTRATION NUMBER _____</p> <p>Date: June 16, 2005</p>				

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Timothy Tak Chun YIP et al.
Title: SERUM BIOMARKERS IN LUNG CANCER
Int'l. Appl. No.: PCT/US03/37090
Int'l. Filing Date: December 16, 2003
Examiner: Unassigned
Art Unit: Unassigned

ASSERTION OF SMALL ENTITY STATUS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §1.27(c)(1), Applicants hereby assert entitlement to small entity status in the above-identified application.

Respectfully submitted,

By S.A. Bent

Date 15 June 2005
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Stephen A. Bent
Attorney for Applicant
Registration No. 29,768